

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	
)	Examiner: Rex R. Holmes
Inventor(s): Anant V. Hegde, et al.)	
)	Art Unit: 3762
Application No. 10/781,357)	
)	Confirmation No.: 9201
Filed: February 17, 2004)	
)	
Title: VASCULAR ASSIST DEVICE AND METHODS)	

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to Examiner's Office Action mailed October 12, 2006, Applicant's elect the species as described below. Applicants would like to indicate that Applicant's have previously elected Group I, Claims 1-49 without traverse, in a response dated September 8, 2006. Applicants, reserve the right pursuant to 35 U.S.C. §121 to file one or more divisional applications directed to the non-elected invention during the pendency of the present application.

The Examiner has indicated that the claims are directed to patentably distinct species and has requested an election of species. Applicant provides herewith an election of species.

Applicant elects the following species:

- Group A, different types of electroactive polymers – ion exchange polymer metal composite;
- Group B, different types of body lumens – ascending aorta;
- Group C, different types of mating fasteners and how they are attached – positive lock;
- Group D, different types of controller actuation results – copulsation of a portion

of the cardiac cycle;

- Group E, different types of cuff sizes – cuff sized to fully encircle the lumen;
- Group F, different types of electroactive pump designs/types – single chamber;
- Group G, different types of cardiac triggers/cycles – aortic pressure;
- Group H, how different types of electroactive polymers are actuated – lever arms moving together;
- Group I, different types of bias elements – fluid;
- Group J, different types of body pressures – arterial pressure;
- Group K, different types of polymer pumps – rolled polymer pump; and
- Group L, different types of triggers – pressure sensing polymer pump.

Claims readable on the elected species include 1-34 and 43-49. Pursuant to 37 C.F.R.

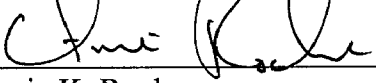
§1.141, Applicants reserve the right to pursue claims to the non-elected species in this application in the event that a generic claim is found to be allowable.

Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned attorney at (650) 849-3460. The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 23-2415 (Docket No. 31513-701.501).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: November 10, 2006

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